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John Martin, and Marcus McAnally*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DANIEL MARTIN,

Plaintiff,

vs.

CLARK COUNTY, a political subdivision of the
State of Nevada; JOHN MARTIN in his official
and/or individual capacities; MARCUS
McANALLY in his official and/or individual
capacities; DOES I-X.

Defendants.

Case No.: 2:19-cv-01623-APG-DJA

**STIPULATION AND ORDER TO
EXTEND DEADLINE FOR PLAINTIFF
TO RESPOND TO DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT (ECF No. 48)**

[SECOND REQUEST]

AND RELATED COUNTERCLAIM

STIPULATION

Defendant/Counterclaimant Clark County and Defendants John Martin, and Marcus
McAnally (collectively herein "Defendants") and Plaintiff/Counter-defendant Daniel Martin
("Plaintiff"), by and through their undersigned counsel, hereby stipulate to extend the deadline

1 for Plaintiff to respond to Defendants' Motion for Summary Judgment (ECF No. 48) from
2 Monday, March 8, 2021 through and including Friday March 12, 2021. All other dates in the
3 first extended briefing schedule (ECF No. 53) will remain the same. The parties represent to the
4 court as follows:

- 5 1. The day after submitting the first extended briefing schedule which the court approved
6 (ECF No. 53) Plaintiff's counsel's 88 year old mother had a medical emergency that has
7 taken his time and attention to address and this has interfered with his ability to complete
8 the briefing on the opposition to the Defendants' Motion for Summary Judgment. This is
9 not the only work that has been delayed as Plaintiff's counsel also had to file an
10 unopposed motion to extend time on a reply brief that was due to the Ninth Circuit Court
11 of Appeals on Friday, March 5, 2021.
12
- 13 2. Additionally, Plaintiff's counsel is continuing to coordinate the collection of declarations
14 in support of the opposition. Plaintiff will not be able to review his declaration until at
15 least Tuesday, March 9, 2021 due to work and family care responsibilities. Other
16 witnesses are either reviewing their declarations or are awaiting drafts from Plaintiff's
17 counsel.
18
- 19 3. The parties do not think that this extension will cause any delays in the rest of the
20 briefing schedule.
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1 This stipulation is entered in good faith and not for purposes of undue delay. Given the
2 continuing difficulties with the COVID-19 pandemic the above schedule will not pose any undue
3 delay in scheduling a trial or further proceedings in the case.

4 Respectfully submitted,

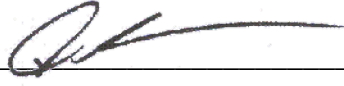
5 Dated this 8th day of March, 2021, Dated this 8th day of March, 2021,

6 /s/James P. Kemp
7 JAMES P. KEMP, ESQ.
Nevada Bar No: 6375
8 KEMP & KEMP
Attorneys for Plaintiff

/s/Scott R. Davis
SCOTT R. DAVIS, ESQ.
Nevada Bar No.: 10019
CLARK COUNTY DISTRICT ATTORNEY'S
OFFICE
Attorneys for Defendants

11 **ORDER**

13 IT IS SO ORDERED.

14 
15 THE HONORABLE ANDREW P. GORDON
16 UNITED STATES DISTRICT JUDGE

18 Dated: March 9, 2021